

Appln No. 09/607,843
Amdt. Dated March 10, 2005
Response to Office Action of January 27, 2005

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REMARKS

The Office Action has been carefully considered. The issues raised are traversed and addressed below with reference to the relevant headings and paragraph numbers appearing under the Detailed Action of the Office Action.

Withdrawn claims

As requested by the Examiner, the withdrawn claims are now cancelled from the application without prejudice. In view of the cancellation of these claims, the dependencies of claims 8, 10, 12, 15, 18, 20, 21, 25-28, 36, 42-44 and 46-47 have now been corrected.

Claim Rejections - 35 USC § 112

In view of the Examiner's objections, the claims have been revised to refer to an apparatus.

Claim Rejections - 35 USC § 103

In paragraph 4 of the Office Action, the Examiner has objected to the claims as being unpatentable over Patterson Jr. et al in view of Richards et al. We respectfully submit that we do not believe that these documents are relevant to the claims.

In particular, the claimed invention is a method of enabling on-line banking using a form. Whilst not explicitly stated in the claim, the form is provided on a substrate utilising appropriate markings. This is a very, very distinct mode of operation when compared to the form of Patterson Jr. et al which is provided on a computer system. In particular, we would highlight to the Examiner that column 8 of Patterson describes how the system utilises a pen computer in which a plastic stylus applies pressure to screen elements, or effects a change in properties, to allow data entries to be made.

The Examiner has drawn our attention explicitly to columns 13, line 20 to column 15, line 55 which describes the order entry form. It is evident from reviewing this section of the description that the order entry form is displayed on screen to allow interaction with the form. This is highlighted earlier in the specification where it is stated, for example, in column 9 that the forms, etc., are displayed on a screen 300 of the BS (base station).

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In any event, we believe that it is completely clear from the description in Patterson that all interaction with the forms occurs via the pen based computer system, but if the Examiner is minded not to accept this, we would request that he direct our attention to a specific portion of the specification which clearly indicates that interaction occurs through any other mechanism.

As mentioned above, the currently pending claims do not explicitly indicate that the form is printed. However, as a result of this mode of operation, the claim does include a number of other material distinctions over the cited prior art.

Firstly, Patterson does not describe providing coded data on the form. It is important to understand that the form is the representation presented to the user on the display. Whilst we acknowledge the form may include information regarding its identity, this would simply be text information on the form and would therefore correspond to information and not coded data, when considering the claim technology. In addition to this, whilst a data packet which is used to encode the form may include an indication of the identity of the form, this does not correspond to the form including coded data.

In addition to this, as previously discussed, it is clear from Patterson et al that interaction is achieved using a stylus. As a result of this, there is no disclosure in Patterson of a sensing device which generates indicating data when it is placed in an operative position relative to the form. The only element which may be placed in an operative position relative to the form is the stylus and as this is a passive device does, it cannot generate indicating data.

In addition to this, it is of course a requirement of the claim that the sensing device generates the indicated data using some of the coded data, and again this cannot occur. Instead, in Patterson, the computer system will determine the position of a cursor on the form. This must therefore be contrasted with the claimed invention which requires that the computer system receive indicating data from a sensing device and we would respectfully submit that the computer system of Patterson does not receive anything from an indicating device but rather, the stylus operates the cause the computer system to directly determine the stylus position.

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In view of this, we respectfully submit that Patterson Jr et al and Richards et al are not relevant to the claims.

If the Examiner is minded to reject these arguments, we would appreciate a detailed explanation of how the Examiner can interpret a pen based computer system to include a sensing device which senses coded data provided on a form, uses this to determine indicating data regarding the identity of a form and a position of the sensing device relative to the form, when the indicating data being received by a computer system.

In the event that the Examiner does not accept our arguments with respect to claim 1, we would draw the Examiner's attention to claim 21 which refers to printing the form on demand. The Examiner has correctly identified in Patterson column 1, lines 30 to 40 that the form may be printed. We would respectfully submit, however, that this printed form of Patterson does not include coded data on the form. To highlight this, we have amended claim 21 to clarify that the printed form allows a sensing device to sense coded data provided on the printed form, and would submit that in the event that the Examiner does not accept our arguments with respect to claim 1, this does further define the operation and provide the novel and inventive features.

We would also note that the Examiner has objected to claim 22 and stated that this is described by Patterson et al. However, we would reiterate that we do not believe that Patterson et al includes coded data indicative of an identity of the form and at least one reference point of the form. Thus, there is nothing in Patterson which allows locations on the form to be determined.

The Examiner also indicated that official notice is taken that printing coded data in the invisible spectrum is well known in the art, although again, we would reiterate that if Patterson does not describe coded data, we fail to see how printing invisible coded data would be obvious.

In any event, to define further distinctions, additional dependent claims 49 and 50 have been added which refer to the coded data being substantially coincident with at least some of the information. Again, we would respectfully submit that this is not shown by Patterson et al. We reserve the right to provide comments on further dependent claims in due course.

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In view of this, we believe that the claims of the current application are in order for allowance.

CONCLUSION

In light of the above, it is respectfully submitted that the objections and claim rejections have been successfully traversed and addressed. The amendments do not involve adding any information that was not already disclosed in the specification, and therefore no new matter is added. Accordingly, it is respectfully submitted that the claims 1 to 50, and the application as a whole with these claims, are allowable, and a favourable reconsideration is therefore earnestly solicited.

Very respectfully,

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